

Docket No.: A-67493-3

1-5-07

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of:  
Stuelpnagel et al.

Examiner: Beisner, W.H.

Serial No.: 09/606,369

Group Art Unit: 1744

Filing Date: June 28, 2000

Confirmation No.: 6020

Title: COMPOSITE ARRAYS  
UTILIZING MICROSPHERES WITH A  
HYBRIDIZATION CHAMBER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF TRANSMISSION**

I, Rosalyn M. Espejo, hereby certify that this correspondence is being transmitted electronically to the United States Patent and Trademark Office via EFS-Web on January 5, 2007.


Signed: Rosalyn M. Espejo  
Rosalyn M. Espejo

**REQUEST FOR REFUND**

Sir:

Applicant is entitled to assert small entity status for the above-identified patent application by virtue of previously establishing small entity status on May 7, 2001 (see page 1 of the transmittal filed May 7, 2001 and attached hereto as Exhibit A). Pursuant to 37 CFR § 1.26, Applicant requests a refund based on establishment of small entity status, of a portion of fees paid on December 20, 2006. At that time, Applicant paid for a two-month extension of time at the large entity rate, in error. The difference in fees between the large entity rate (\$450.00) and small entity rate (\$225.00) is \$225.00. The Commissioner is requested to refund \$225.00 to our Deposit Account No. 502690 (Order No. A-67493-3).

Respectfully submitted,



John T. Murphy  
Registration No. 50,583

Date: January 5, 2007  
**ILLUMINATA, INC.**  
9885 Towne Centre Drive  
San Diego, CA 92121-1975  
Telephone: 858.202.4711  
Facsimile: 858.202.4599  
Customer No. 29389

# Exhibit A

PATENT

Attorney Docket No.: A-67493-3/DJB/RMS/DCF

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Examiner: Not yet assigned
STUELPNAGEL, <i>et al.</i>	)	Group Art Unit: 1655
Serial No. 09/6064369	)	
Filed: June, 28, 2000	)	
For: COMPOSITE ARRAYS	)	
UTILIZING MICROSPHERES WITH	)	
A HYBRIDIZATION CHAMBER	)	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on 5/7/01.

Signed: Fern S. Marder  
Fern S. Marder

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed October 12, 2000.

Applicant claims small entity status in accordance with 37 CFR 1.27.

Enclosed are the following documents:

- (1) Copy of Notice to File Missing Parts of Nonprovisional Application;
- (2) Declaration and Power of Attorney (two counterparts);
- (3) Assignment (two counterparts) (copy);
- (4) Power of Attorney by Assignee;

Serial No.: 09/606,369

Filed: June 28, 2000

- (5) Check for \$861.00 to cover the filing fee (\$345.00), 14 claims over 20 (\$126.00), 5 independent claims over 3 (\$195.00), multiple dependent claim surcharge (\$130.00), and the missing parts surcharge (\$65.00) for a small entity;
- (6) Petition for Extension of Time (five months);
- (7) Check in the amount of \$945.00 to cover a five-month extension for a small entity; and
- (8) Return receipt postcard.

The original Assignment has been forwarded to the Assignment Branch for recordation.

The Commissioner is authorized to charge any fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67493-3/DJB/RMS/DCF).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice of Missing Parts.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Date: May 7, 2001



David C. Foster, Reg. No. 44,685  
Patent Agent for  
Robin M. Silva, Reg. No. 38,304

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1051028

# Electronic Patent Application Fee Transmittal

Application Number:

09606369

Filing Date:

28-Jun-2000

Title of Invention:

Composite arrays utilizing microspheres with a hybridization chamber

Adjustment date: 01/12/2007 SFELEKE1  
12/21/2006 INTEFSW 00001163 502690 09606369  
01 FC:1252 450.00 CR

First Named Inventor/Applicant Name:

John R. Stuelpnagel

Filer:

John T. Murphy/Rosalyn Espejo

Attorney Docket Number:

A-67493-3/DJB/RMS/DCF

Filed as Large Entity

## Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
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Basic Filing:

Pages:

Claims:

Miscellaneous-Filing:

Petition:


Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Extension - 2 months with \$0 paid	1252	1	450	450
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01/12/2007 SFELEKE1 00000003 502690 09606369  
01 FC:1252 225.00 DA

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous: 				
Total in USD (\$)				450